

MSHA Moves Forward with May 23 Implementation of Workplace Examination Final Rule

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On January 23, the Mine Safety and Health Administration (MSHA) issued its Final Rule for Examinations of Working Places in Metal and Nonmetal Mines. In light of the White House's regulatory freeze on new rules, questions have arisen as to whether the effective date for this final rule would be delayed 60 days, into July.

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MSHA has recently signaled that the rule has passed review within the new administration, and the agency now will move forward with the original May 23 effective date. The agency is expected to hold training sessions and provide related materials to the industry in advance of that date.

This final rule imposes significant administrative burdens on operators, requiring new forms and procedures for most metal and nonmetal mines. It also raises the risk of the most serious types of enforcement, including legal liability for supervisors involved in the workplace examination process.

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